

**GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA**

STARRED QUESTION NO:302

ANSWERED ON:07.12.2016

Exchange of Prisoners

Singh Shri Satya Pal;Tumane Shri Krupal Balaji

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) the number of Indian civil/fishermen prisoners and Pakistani civil/fishermen prisoners released by Pakistan and India respectively during the last three years;
- (b) the number of such Indian prisoners still in the Pakistani jails and vice-versa;
- (c) whether the cases of torture/death of such Indian prisoners in Pakistani jails have come to the notice of the Government during the said period;
- (d) if so, the details thereof and action taken by the Government in such cases; and
- (e) the steps taken by the Government to release all the prisoners by both the countries?

Answer

THE MINISTER FOR EXTERNAL AFFAIRS
(SHRIMATI SUSHMA SWARAJ)

(a) to (e) A statement is laid on the table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) OF THE LOK SABHA STARRED QUESTION NO. 302 REGARDING "EXCHANGE OF PRISONERS" FOR ANSWER ON 07.12.2016

The number of Indian civil prisoners and fishermen released by Pakistan and Pakistani civil prisoners and fishermen released by India, in the last three years is as follows:

2013 2014 2015

Indian civil prisoners released by Pakistan 38 6 5

Indian fishermen released by Pakistan 390 185 448

Pakistani civil prisoners released by India 38 26 44

Pakistani fishermen released by India 28 74 115

Further in the calendar year 2016, Government released 10 Pakistani Civil prisoners and 9 Pakistani Fishermen and Government of Pakistan released 190 Indian Fishermen and 2 Indian Civil prisoners, so far.

As per information available with the Government, 516 fishermen, who are Indian or believed to be Indian nationals are currently in the custody of Pakistani authorities. Out of these 516, formal confirmation of the presence of 55 fishermen apprehended in the past few months by Pakistani authorities, is yet to be received from the Government of Pakistan.

As per the information available there are 57 civil prisoners in Pakistani Jails who are Indian or believed to be Indian nationals. Out of these 57, formal confirmation of the presence of 3 civil prisoners is yet to be received from the Government of Pakistan.

Government of Pakistan does not acknowledge the presence of 74 Indian Missing Defence Personnel, including 54 Prisoners of War, in Pakistan.

As of 1 July 2016, there are 270 Pakistani civil prisoners and 37 Pakistani fishermen in Indian jails.

During 2013, 2014 and 2015, three (3) Indian civil prisoners and eight (8) Indian fishermen have died in the custody of Pakistani authorities. In addition, 1 Indian civil prisoner and 2 Indian fishermen have died in the year 2016, so far. The details are as following:

Year No. Name Date of death Remarks

2013 4 Chambail Singh (Civil Prisoner) 15/01/2013 Died in Central Jail, Lahore

Sarabjit Singh

(Civil Prisoner) 02/05/2013 Attacked by fellow inmates in Central Jail, Lahore on 26.04.2013

Dadu Bhai
(Fisherman) 03/07/2013 Died in District Jail, Malir, Karachi
Bhikha Bhai
(Fisherman) 19/12/2013 Died in District Jail, Malir, Karachi
2014 5 Kishore (Fisherman) 04/02/2014 Died in District Jail, Malir, Karachi
Arvind
(Fisherman) 02/05/2014 Died in District Jail, Malir, Karachi
Bala
(Fisherman) 25/07/2014 Died in District Jail, Malir, Karachi
Jania@Chania
(Fisherman) 04/11/2014 Died in District Jail, Malir, Karachi
Dooliya Devyat Bhai
(Fisherman) 10/12/2014 Died in District Jail, Malir, Karachi
2015 2 Vadha Chauhan
(Fisherman) 22/12/2015 Died in District Jail, Malir, Karachi
Abu Bakar Nohri (Civil Prisoner) 30/11/2015 Died in District Jail, Malir, Karachi
2016 3 Ratandas Makwana (Fisherman) 12/02/2016 Died in District Jail, Malir, Karachi
Kirpal Singh
(Civil Prisoner) 11/04/2016 Died in Central Jail, Lahore
Mohan
(Fisherman) 01/10/2016 Died in District Jail, Malir, Karachi

In case of the civil prisoner Chambail Singh (died on 15 January 2013), there were media reports that the death was due to beating in Central Jail, Lahore. In case of civil prisoner Sarabjit Singh (died on 2 May 2013) who was attacked by fellow inmates, the report of his autopsy conducted by Pakistani authorities mentioned "ante-mortem wounds". The viscera of both these Indian nationals were sent for further forensic examination by authorities in Pakistan.

Government has consistently and strongly stressed on several occasions to the Government of Pakistan the latter's responsibility to ensure safety, security and well-being of all those prisoners and fishermen, who are in the custody of Pakistan and are Indian or believed to be Indian nationals.

Government regularly takes up with the Government of Pakistan the matter of early release & repatriation of all Indian civil prisoners and fishermen, who have completed their sentences. The High Commission of India in Islamabad, on a continuing basis, provides humanitarian and legal assistance to Indian nationals imprisoned in Pakistan and also regularly undertakes distribution of items of daily necessity to them through Pakistani jail authorities. In addition, an India-Pakistan Judicial Committee on Prisoners, consisting of retired judges from the higher judiciary of both countries, was constituted in 2008 to look into humanitarian aspects of the matter and recommend measures to ensure humane treatment and expeditious release of fishermen and prisoners, who have completed their prison term. The last visit of the Committee was to India in 2013. It is now Pakistan's turn to organise the next visit of the Committee and Government awaits further steps by Government of Pakistan in this regard.